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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,886	04/05/2001	Rinko Katsuda	AA352F	7733

27752 7590 08/11/2005

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EXAMINER

DOUYON, LORNA M

ART UNIT PAPER NUMBER

1751

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/806,886	Applicant(s) KATSUDA ET AL.	
	Examiner Lorna M. Douyon	Art Unit 1751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. This action is responsive to the amendment filed on April 26, 2005.
2. Claims 1, 7, 9-11 are pending.
3. The rejection of claims 1, 9-11 under 35 U.S.C. 103(a) as being unpatentable over Steventon et al. (WO 97/17939), hereinafter "Steventon", in view of Powell et al. (US Patent No. 5,804,544), hereinafter "Powell", in further view of Baginski et al. (US Patent No. 4,652,392), hereinafter "Baginski" is withdrawn in view of applicants' amendment.
4. The rejection of claims 1, 7 and 9-11 under 35 U.S.C. 103(a) as being unpatentable over Baginski in view of Inamorato (US Patent No. 4,252,664) in further view of Steventon is withdrawn in view of applicants' amendment, in particular, the deletion of the specific acid source, i.e., maleic acid, malic acid, or a combination thereof.
5. Claims 1, 7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baginski in view of Inamorato.

Baginski teaches a granular detergent compositions having a controlled suds pattern comprising (a) suds suppressing amount of a stable suds controlling component comprising a silicone suds controlling agent releasably incorporated in a water-soluble or water-dispersible, substantially non-surface active, detergent-impermeable and non-hygroscopic carrier, said component being substantially free of hygroscopic water-soluble inorganic salts and in the form of irregularly shaped particles having a minimum dimension not less than about 0.05 cm and a

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maximum dimension being at least about 20% greater than the minimum dimension; and (b) a sudsing detergent component like anionic detergents (see col. 1, lines 43-60). The irregularly shaped particulate silicone suds controlling component can be conveniently prepared in a highly preferred flake form having a thickness of about 0.04 to about 0.15 cm wherein in such flake form, the silicone does not substantially come into contact with the detergent surfactant ingredient when admixed with or incorporated into a detergent composition (see col. 6, lines 16-36). The detergent composition can contain all manner of additional materials commonly found in laundering and cleaning compositions (see col. 11, lines 16-18). Baginski, however, fails to disclose the incorporation of a foaming component comprising an effervescent granule and surface active components as those recited.

Inamorato teaches granular detergent compositions suitable for use in clothes-washing machines (see col. 1, lines 10-13) comprising (1) primary granules of one composition (e.g. spray-dried built detergent) and (2) effervescent granules containing a binder, an acid, a carbonate reactive with the acid (see abstract), wherein the size of the effervescent granules are in the range of about 0.2 to 3 mm (see col. 4, lines 42-43). The carbonate is preferably sodium carbonate and the suitable acids include organic acids such as citric acid (see col. 1, lines 57-65). Among the materials which may be used as binders are higher fatty acids (of, e.g. 16-22 carbon atoms), polyalkylene glycols (e.g. polyethylene glycols), non-ionic detergents (e.g. polyethoxylation products made by reacting ethylene oxide with fatty alcohol, fatty acid, fatty amine, alkyl phenol or fatty amide, amides), see col. 1, lines 28-39. One convenient process for making the effervescent granules is to dry-blend the ingredients in finely divided form, then heat the blend to fuse the binder (see col. 4, lines 1-6). The size of the effervescent granules may be

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varied, e.g. in the range of about 0.2 to 3 mm (see col. 4, lines 42-50). Typical granular spray-dried detergent compositions with which the effervescent granules may be blended generally contain organic surface-active detergents (see col. 4, lines 51-54), such as nonionic surfactants like condensation products of higher fatty alcohols with ethylene oxide (see col. 6, lines 32-39), for example 11 mols of oxyethylene per mol of alkanol (see col. 8, lines 65-68).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the granular detergent composition comprising nonionic surfactant and effervescent granules of Inamorato into the granular detergent composition of Baginski because Baginski specifically desires additional materials commonly found in laundering and cleaning compositions and Inamorato teaches such materials suitable for washing fabrics.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

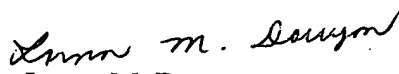
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Lorna M. Douyon
Primary Examiner
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